

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JIM SHOCKLEY**, on January 28, 2003 at 8 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Jim Shockley, Chairman (R)
Rep. Paul Clark, Vice Chairman (D)
Rep. Jeff Laszloffy, Vice Chairman (R)
Rep. George Everett (R)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Christopher Harris (D)
Rep. Michael Lange (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. Mark Noennig (R)
Rep. John Parker (D)
Rep. Holly Raser (D)
Rep. Diane Rice (R)
Rep. Scott Sales (R)
Rep. Ron Stoker (R)
Rep. Bill Thomas (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Lisa Swanson, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 362, 1/22/2003; HB 350,
1/22/2003; HB 358, 1/22/2003; HB
294, 1/22/2003

Executive Action: HB 362; HB 220; HB 14; HB 195; HB
240

HEARING ON HB 362

Sponsor: REP. JACK ROSS, HD 24, Absarokee

Opening Statement by Sponsor:

REP. ROSS opened on HB 362 stating that this bill would make not wearing a seatbelt a minor offense. He explained that if a passenger refused to buckle up, they would get the ticket, not the driver.

{Tape: 1; Side: A; Approx. Time Counter: 1 - 45}

Proponents' Testimony:

Sammy Butler, RN Association, supported HB 362, stating that she sees the results of not wearing a seatbelt. She explained that wearing a seatbelt translates to savings in healthcare costs.

{Tape: 1; Side: A; Approx. Time Counter: 46 - 63}

Beda Lovitt, Montana Medical Association, supported HB 362, stating that this bill is a good idea.

{Tape: 1; Side: A; Approx. Time Counter: 61 - 76}

Steve Yeakel, Montana Counsel on Maternal and Child Health, supported HB 362 stating that the seatbelt issue is not a new concept. He spoke of the harmful effects on children who are involved in accidents and not wearing seatbelts.

Shawn Driscoll, Chief of Montana Highway Patrol, supported HB 362.

{Tape: 1; Side: A; Approx. Time Counter: 77 - 115}

Mona Jamison, General Motors, supported HB 362. She gave statistics on fatalities showing that when a person is buckled up, lives are saved. She emphasized that when a driver is restrained, they are better able to maintain control and lives are saved.

{Tape: 1; Side: A; Approx. Time Counter: 116 - 155}

Opponents' Testimony:

Steve White, Bozeman, stated that he drove up from Bozeman, wearing his seatbelt and that he is not opposed to seatbelts. He emphasized that the real issue is that law enforcement will be citing drivers, who are driving in a safe manner. He spoke of a friend whose death was caused by the seatbelt he wore during an accident. He pointed out that the Senate defeated another seatbelt bill, SB 116, and he asked the Committee to join the Senate and defeat HB 362.

EXHIBIT (juh18a01)

{Tape: 1; Side: A; Approx. Time Counter: 155 - 271}

Informational Testimony: None

Questions from Committee Members and Responses:

REP. HARRIS asked Mona Jamison about the costs to society when the victims do not have insurance. **Ms. Jamison** stated that DPHHS has statistics that show it impacts the Medicaid budget.

{Tape: 1; Side: A; Approx. Time Counter: 271 - 295}

Closing by Sponsor:

REP. ROSS closed on HB 362 urging a do pass.

{Tape: 1; Side: A; Approx. Time Counter: 297 - 308}

HEARING ON HB 350

Sponsor: **REP. JILL COHENOUR, HD 51, East Helena**

Opening Statement by Sponsor:

REP. COHENOUR opened on HB 350, stating that this bill replaces the 1943 narcotics language, bringing it in line with modern day law enforcement.

{Tape: 1; Side: A; Approx. Time Counter: 310 - 337}

Proponents' Testimony:

Shawn Driscoll, Colonel of Highway Patrol, supported HB 350, stating this bill clarifies the language but does not expand their authority.

{Tape: 1; Side: A; Approx. Time Counter: 338 - 363}

Opponents' Testimony:

Jim Smith, Montana Sheriff's and Peace Officer's Association, opposed HB 350 stating they felt uncomfortable with the expansion into paraphernalia or precursors. He explained that when precursors or paraphernalia are found, that protocol has been to contact the DUI, or drug, task force, or the local Sheriff's office. He stated this bill could expand the patrol's activities.

{Tape: 1; Side: A; Approx. Time Counter: 364 - 393}

Informational Testimony: None

Questions from Committee Members and Responses:

REP. NEWMAN asked about the language of the bill. **Mr. Smith** responded that the Sheriffs would feel that if a vehicle is stopped, and drugs or precursors are present, then the DUI or drug task force should be called.

{Tape: 1; Side: A; Approx. Time Counter: 394 - 434}

REP. STOKER asked about the difference between narcotics and dangerous drugs. **REP. COHENOUR** responded that narcotics are included in the category of dangerous drugs.

REP. NOENNIG asked why possession was added. **REP. COHENOUR** responded that she did not know, but that their legal staff reviewed it. **REP. NOENNIG** asked Colonel Driscoll the same question. **Colonel Driscoll** responded that language would not expand their authority. He explained that they also deal with passengers and pedestrians, who may have possession, but not meet the transportation element.

{Tape: 1; Side: A; Approx. Time Counter: 435 - 512}

REP. CLARK asked Colonel Driscoll about paraphernalia such as blenders, scales, baggies, bowls, containers. **Colonel Driscoll**

responded that law enforcement would require some residue to qualify as paraphernalia, such as in a pipe. He emphasized that unless there is residue or other drugs, it would not be considered paraphernalia.

{Tape: 1; Side: B; Approx. Time Counter: 1 - 39}

Closing by Sponsor:

REP. COHENOUR closed on HB 350 stating that things have changed in Montana since 1943. She explained that in the Commission of the highway patrol's duties, they do often run across these dangerous drugs and precursors. She stated it takes more than seeing a blender in a car to qualify as paraphernalia. The officer must find residue, or drugs, in order to determine whether it is paraphernalia.

{Tape: 1; Side: B; Approx. Time Counter: 40 - 77}

HEARING ON HB 358

Sponsor: **REP. LANGE, HD 19, Billings**

Opening Statement by Sponsor:

REP. LANGE opened on HB 358, stating that it allows counties to streamline cases, eliminate the number of appeals, and provide speedy trials. He explained that this bill would revise the qualification and training requirements for municipal judges. He stated that it would allow first-class counties to establish justice courts, as courts of record. He remarked that these would be called county courts. He stressed that the qualifications and training requirements for a justice of the peace (JP), serving in a county court, are the same as that of a municipal judge.

{Tape: 1; Side: B; Approx. Time Counter: 78 - 120}

Proponents' Testimony:

Judge Larry Herman, Attorney, Billings, supported HB 358, stating it would save costs to the cities and counties. He explained this bill would give a protection in terms of a record being kept for all who appear in the Municipal Court. He stated the Billings justice and municipal courts hear over 45,000 filings a year. He emphasized that, at present, many cases are plead that should not be.

EXHIBIT(juh18a02)

{Tape: 1; Side: B; Approx. Time Counter: 121 - 352}

Harris Himes, Attorney, supported HB 358. He stated that mediation is used to smoke out the other side and is generally a waste of time. He felt that mediation has no force or effect in law and costs people time and money.

{Tape: 1; Side: B; Approx. Time Counter: 353 - 390}

Opponents' Testimony:

Harold Blatty, Assistant Director of Montana Association of Counties, opposed HB 358, stating it would be a slippery slope in the area of classifications and salaries. He explained the juris doctorate degree requirement for Class I counties could easily be extended down through the other counties. He stated there are 15 Class I counties, with Fallon County being the smallest.

{Tape: 1; Side: B; Approx. Time Counter: 391 - 432}

Robert Throessel, Montana Magistrates Association, opposed HB 358, stating that the justice court is the people's court. He stated that this bill removes this benefit to the citizens of Montana. He explained that the fiscal impact would make the salaries be increased up to 90 percent to that of the district court judge. He stated JP's have a long standing history in Montana.

{Tape: 1; Side: B; Approx. Time Counter: 433 - 483}

Mary Ohare Kunst, JP, Rosebud County, opposed HB 358. She explained that JP courts are the people's court. She stated that citizens can resolve their disputes in a less formal manner. JP's make impartial determinations to the laws. She stressed that if laws become so complex that a JP or other citizen cannot understand, then the laws are flawed and should be reassessed.

{Tape: 2; Side: A; Approx. Time Counter: 1 - 31}

Kelly Reisbeck, President Montana Bail Bondsman, opposed HB 358. He stated JP's should not have to be attorneys, nor should common sense be substituted for a law degree.

{Tape: 2; Side: A; Approx. Time Counter: 32 - 45}

Informational Testimony: None

Questions from Committee Members and Responses:

REP. GALLUS asked Judge Herman about JP's salaries. **Judge Herman** responded that they can not be more than 90 percent of the district court judge's salary but could be less. He stated it is up to the county commissioner to determine the salary.

Closing by Sponsor:

REP. LANGE closed on HB 358, urging the Committee to look at what the bill actually does as opposed to what it is perceived to do.

{Tape: 2; Side: A; Approx. Time Counter: 46 - 77}

HEARING ON HB 294

Sponsor: **REP. TOM FACEY, HD 67, Missoula**

Opening Statement by Sponsor:

REP. FACEY opened on HB 294 stating this bill would remove language in the bill defining deviant sexual conduct. He explained that the bill would redefine deviate sexual relations by removing "sexual contact or sexual intercourse between two persons of the same sex." He cited State v. Gryczan, a 1997 Montana Supreme Court case, which held that consenting adults, regardless of gender, have the right to engage in private, non-commercial sexual conduct. He stated that this strikes at the very core of Montana's constitutional right of individual privacy. He emphasized that the language which HB 294 would remove, has already been determined to be unconstitutional. He asked the Committee to not focus on whether they approve of the acts, but rather urged the Committee to recognize the individual's privacy rights. He emphasized that citizens of Montana have a reasonable fear of being prosecuted under this statute and the statute needs to be amended.

{Tape: 2; Side: A; Approx. Time Counter: 78 - 260}

Proponents' Testimony:

Karl Olson, Director of Pride, supported HB 294 on behalf of gays and lesbians. He stated that half the members of Pride are heterosexual. He explained that this bill is good housekeeping to clean up the language. He outlined the basics of civics; the balance of powers and the three branches of government. He asked the Committee to get rid of this "boutique" law. He stated that nothing can rescind a basic civil right which is the right to

love who you want; the right to lose and find yourself in the body and spirit of another person.

{Tape: 2; Side: A; Approx. Time Counter: 261 - 314}

Linda Gryczan, of Gryczan v. Montana, supported HB 294. She stated she first came to Montana 12 years ago to repeal a law which made her a felon for loving a woman for almost 20 years. She asked the Committee if it really believed she belongs in prison for ten years, or owes Montana \$50,000 for the crime of loving a woman. She emphasized the oath each Representative took to uphold the Constitution. She emphasized that the Court held that this statute is unconstitutional. She urged the Committee to apply the Montana Constitution to her as well as everyone in Montana; to apply the right of privacy, and the right to equal protection under the law. She stated that the last Montana census found that there are same sex couples in every county in Montana except for two. She urged that these same sex couples are the Representatives' constituents.

{Tape: 2; Side: A; Approx. Time Counter: 315 - 361}

Jan Donaldson, supported HB 294. She stated the law regarding the definition of "deviant sexual conduct," with regards to gay and lesbian people in Montana, has been declared unconstitutional by the Montana Supreme Court. She stated this bill is a legislative housecleaning measure.

{Tape: 2; Side: A; Approx. Time Counter: 362 - 384}

Travis McAdam, Montana Human Rights Network, supported HB 294. He stated that the House passed a bill last week to form a Commission to examine the Montana Code for obsolete laws. He believed the current bill addresses the spirit of the Commission's goal. He emphasized that love is the best human quality. Opponents compare gays to drug dealers; blame gays for aids in Africa; that gays engage in lower forms of behavior. He stressed that equal rights, the right to privacy, equal protection, are qualities which must be strived for. He encouraged a do pass.

{Tape: 2; Side: A; Approx. Time Counter: 385 - 477}

Chris Christiaens, Montana Chapter of the National Association of Social Workers, supported HB 294. He stated that the current law, 45-5-505, mandates a \$50,000 fine and/or 10 years in prison for something that has been ruled unconstitutional. He spoke on behalf of 500 licensed social workers.

Holly Franz, Attorney, Helena, supported HB 294. She stated that she represented six lesbians and gay men who challenged the deviant sexual conduct act, back in 1993. She stated that holding this statute on the books can only cause confusion. Any concerns about nonconsensual sexual behavior are already covered under the rape and sexual assault statutes. She urged support for the bill.

{Tape: 2; Side: A; Approx. Time Counter: 478 - 509}

{Tape: 2; Side: B; Approx. Time Counter: 1 - 5}

Mike Barrett, Poet, supported HB 294. He stated the word deviant as defined in the dictionary has two different meanings, one negative and one positive.

{Tape: 2; Side: B; Approx. Time Counter: 6 - 47}

Opponents' Testimony:

Harris Himes, Attorney, Pastor, opposed HB 294. He challenged the attorneys on the Committee and the media to think about the bill. He stated that the Constitution, which considered the issue of homosexuality under the sodomy statute, voted 69-16 to keep sodomy, and homosexuality, a crime in Montana. He explained that this same Constitution formulated the privacy section. He emphasized that the Court failed in its 1997 ruling. He explained that the legislators swore to uphold the Constitution, but did not swear to uphold the Court's decisions. He cited an older case, Bauer v. Hardwick in which the Court ruled that it is legal for Montana to have a statute against sodomy and homosexuality. He closed stating that many churches agree with his premise that homosexuality is, and must remain, a crime.

{Tape: 2; Side: B; Approx. Time Counter: 48 - 129}

Julie Millam, Executive Director of the Montana Family Coalition, opposed HB 294. She stated the Coalition represents over 40,000 households. She believed that the Gryczan decision will be overturned. She asked the Committee to keep 45-5-505 on the books. She stressed that this law is a stand for families. She stated that the current law protects traditional family values which hold a place in society. She urged the Committee to send a message to Montana families and defeat HB 294.

EXHIBIT (juh18a03)

{Tape: 2; Side: B; Approx. Time Counter: 130 - 161}

Jenny Dodge, Citizen's Network, A Pro-Life Advocacy Group, opposed HB 294. She mentioned that the Legislative Branch should have the most power because it represents the will of the people. She believed that the Court's ruling on 45-5-505 will be overturned for being arbitrary and capricious. She stressed that Montana has had this law for decades and that the people of Montana want this law to remain on the books to protect family values. She spoke of the homosexual agenda and how destructive it is to Montana family values.

EXHIBIT (juh18a04)

{Tape: 2; Side: B; Approx. Time Counter: 162 - 207}

Steve White, Bozeman, opposed HB 294, stating he has been involved in this issue since 1991. He mentioned Vivian Brook's date rape bill which also tried to strike the deviant language as it pertained to same sex couples. He stated that although the bill failed, it kicked off a long-standing battle on the issues.

EXHIBIT (juh18a05)

{Tape: 2; Side: B; Approx. Time Counter: 208 - 267}

Tei Nash, Coalition for Community Responsibility, Missoula, opposed HB 294. He stated that this bill is about social irresponsibility, is anti-family, and creates a hidden door for homosexual behavior that is predatory on young children. He stated that the American Public Health Association reports that more than three fourths of all homosexuals acquire a sexually transmitted disease at least once in their life. The average age of death for gay men is 41 years and many of their last years are spent battling disease. He laid out that statistics show the average live-in male relationship is about two years. He closed stating he is appalled with the bill.

{Tape: 2; Side: B; Approx. Time Counter: 268 - 324}

Dan McCrossin, opposed HB 294, stated he was raped by a homosexual deviant while in the Montana State Prison.

Cris Jones, Community Coalition For Responsibility in Missoula, opposed HB 294. He gave statistics on the molestation of children stating that the majority of predators describe themselves as gay or lesbian.

Shannon Bennett, opposed HB 294, stating she supports traditional family life. She urged a do not pass HB 294.

Don Duggan, opposed HB 294. He stated that he is a former deputy sheriff from Los Angeles, California, where he worked for 23 years. He stated he worked on an overtime basis at the homosexual tank within the jail. He explained that a lot of the people in the tank were dying of aids. He urged a do not pass HB 294 stating sodomy is destructive.

{Tape: 2; Side: B; Approx. Time Counter: 325 - 426}

Informational Testimony: None

Questions from Committee Members and Responses:

REP. NEWMAN asked about the deviant sexual conduct statute and the testimony stating that the prosecutors do not enforce it against same sex, consenting couples. **Mr. Jones** responded that it is on the books but he doesn't have any statistics on its use by prosecutors. **REP. CLARK** commented on Mr. Jones's testimony regarding the statistics of homosexuals molesting boys. He asked Mr. Jones about statistics of heterosexuals molesting girls. **Mr. Jones** responded that he did not have any.

{Tape: 2; Side: B; Approx. Time Counter: 427 - 473}

REP. HARRIS asked Mr. Himes if he preferred that the law be actively enforced or whether he is satisfied with its passive chilling effect. **Mr. Himes** responded that he would like it enforced because that is what God wants.

{Tape: 2; Side: B; Approx. Time Counter: 474 - 501}

REP. EVERETT asked how many cases, since 1997, have been prosecuted under the current statute. **REP. FACEY** responded that there have not been any. **REP. GALLUS** asked Ms. Dodge about her testimony that homosexual groups are militant. He opined that "militant" to him means to use force to reach a goal. He asked whether she had any examples of the witnesses who testified on the bill of meeting her definition of militant. **Ms. Dodge** responded that "militant" to her means determined to reach the goal; doing whatever it takes, excluding murder.

{Tape: 3; Side: A; Approx. Time Counter: 1 - 25}

Closing by Sponsor:

REP. FACEY closed on HB 294. He stated that words, or the lack thereof, are important. He quoted from Gryczan v. State, stating that nothing in this opinion should be construed as countenance

of nonconsensual sexual activity, sexual contact with a minor or any form of sexual conduct for commercial purposes. He stated that the Court held that Montanans have a constitutional right of privacy, a right of personal autonomy, the right to be let alone, the right to engage in noncommercial, private, sexual relations free of governmental interference, intrusion and condemnation. He stated that nothing in the bill would hinder the prosecution of terrible behaviors such as, including but not limited to, non-consensual sex, commercial sex, and sexual assault. He urged the Committee to support and defend the Constitution by passing HB 294.

{Tape: 3; Side: A; Approx. Time Counter: 26 - 93}

EXECUTIVE ACTION ON HB 362

Motion: REP. HARRIS moved that HB 362 DO PASS.

Discussion:

John MacMaster stated this Committee, on January 22, passed HB 234 which amended the seatbelt law. He stated this bill would do the same thing but allow an officer to stop anyone no matter what their age for not wearing a seatbelt. He stated that the bills would be in conflict, and one bill should take precedence over the other.

Vote: Motion that HB 362 DO PASS failed 6-12 by roll call vote with REPS. HARRIS, FACEY, PARKER, NOENNIG, THOMAS, AND GUTSCHE voting aye .

Motion/Vote: REP. GALLUS moved that HB 362 BE TABLED. Motion carried 14-4 with GUTSCHE, HARRIS, NOENNIG, and THOMAS voting no.

{Tape: 3; Side: A; Approx. Time Counter: 94 - 431}

EXECUTIVE ACTION ON HB 220

Motion: REP. LASZLOFFY moved that HB 220 DO PASS.

Motion: REP. HARRIS moved that HB 220 BE AMENDED (MacMaster/Newman Amendment).

Discussion:

The Committee discussed restitution to victims and the accrual of interest while in prison. They also discussed having interest not accrue until the inmate is paroled. The Committee discussed garnishing a prisoner's wages, amounts to be garnished, and rates

of interest. **REP. SALES** stated that this bill makes it so punitive, that an inmate would lose all incentive to try to pay. He emphasized that when the law is so punitive, the inmate, once paroled, will either skip out completely, or willingly return to jail.

Vote: Motion that **HB 220 BE AMENDED** carried 17-1 by voice vote with **REP. CLARK** voting no.

Motion: **REP. LASZLOFFY** moved that **HB 220 BE FURTHER AMENDED**. (Line 4, page 4 requiring the duty to pay until paid in full, Noennig's and Newman's Amendments)

Discussion:

The Committee discussed the inmate's duty to pay and that it should be collectible until it is paid in full. The Committee discussed drafting language which would make it as inclusive as possible and spoke of the ability to go after the person's estate even after death. The Committee discussed when interest should be incurred.

Vote: Motion that **HB 220 BE FURTHER AMENDED** carried 17-1 with **GUTSCHE** voting no by voice vote.

{Tape: 3; Side: A; Approx. Time Counter: 478 - 503}

{Tape: 4; Side: A; Approx. Time Counter: 1 - 18}

Motion/Vote: **REP. LANGE** moved that **HB 220 BE AMENDED**. (Lange Amendment to limit offender's ability to incur new debt when they get out of prison, and to maintain a residence and a job.) **Motion failed 6-12 by roll call vote with REPS. GALLUS, HARRIS, LANGE, NOENNIG, NEWMAN and RASER voting aye.**

{Tape: 4; Side: A; Approx. Time Counter: 43 - 109}

Motion/Vote: **REP. SALES** moved that **HB 220 BE AMENDED**. (Sales Amendment would strike, on the third amendment, page 4, line 3 dealing with interest altogether) **Motion carried 16-2 with REPS. GUTSCHE and CLARK voting no by voice vote.**

{Tape: 4; Side: A; Approx. Time Counter: 110 - 141}

Motion/Vote: **REP. STOKER** moved that **HB 220 DO PASS AS AMENDED**. **Motion carried 16-2 by voice vote with CLARK and GUTSCHE voting no.**

EXECUTIVE ACTION ON HB 195

Motion: REP. NEWMAN moved that HB 195 DO PASS.

Motion: REP. NEWMAN moved that HB 195 BE AMENDED. Motion carried unanimously by voice vote.

{Tape: 4; Side: A; Approx. Time Counter: 142 - 207}

Motion: REP. STOKER moved that HB 195 DO PASS AS AMENDED.

Discussion:

REP. RICE commented that two beers could put a person over the limit. REP. NEWMAN stated it could be two beers but it depends on their age and weight. He emphasized that when a person chooses to drink and drive, they are wielding a 3,000 pound weapon.

Vote: Motion DO PASS HB 195 AS AMENDED carried 17-1 by roll call vote with RICE voting no.

EXECUTIVE ACTION ON HB 14

Motion: REP. SHOCKLEY moved that HB 14 DO PASS.

Motion/Vote: REP. LASZLOFFY moved that HB 14 BE AMENDED. Motion carried unanimously 18-0 by voice vote.

Motion: REP. NOENNIG moved that HB 14 DO PASS AS AMENDED.

{Tape: 4; Side: A; Approx. Time Counter: 173 - 382}

Discussion:

The Committee discussed the reasoning behind having two jury trials. REP. NOENNIG stated the Constitution already requires the right to a jury trial. He explained that the reason a person gets two jury trials is that the justice court is not a court of record. He stated the Committee should not tinker with the Constitution and that a right to a jury trial is a right to a jury trial. CHAIRMAN SHOCKLEY explained that our Constitution does not allow the Legislature to change the Constitution. He explained that the people of Montana can change the Constitution which would be called a referendum or the people can initiate a

change which would called an initiative. He stated this bill is a compromise.

Vote: Motion DO PASS HB 14 as amended carried 12-6 by roll call vote with CLARK, FACEY, GUTSCHE, MALCOLM, NEWMAN, and NOENNIG voting no.

{Tape: 4; Side: B; Approx. Time Counter: 1 - 22}

EXECUTIVE ACTION ON HB 240

Motion: REP. GUTSCHE moved that HB 240 DO PASS.

Discussion:

CHAIRMAN SHOCKLEY stated this bill allows a sheriff to transport a defendant from their jail, to the prison, or other place.

John MacMaster explained a proposed amendment which would allow the sheriff to take the person to the place with a letter from the sentencing judge stating the defendant is sentenced to that place.

Motion/Vote: REP. LASZLOFFY moved that HB 240 BE AMENDED. Motion carried unanimously by voice vote.

Motion/Vote: REP. FACEY moved that HB 240 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 12 P.M.

REP. JIM SHOCKLEY, Chairman

LISA SWANSON, Secretary

JS/LS

EXHIBIT (juh18aad)